

**MEDICINE BOARD[653]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code sections 147.76 and 272C.3, the Board of Medicine hereby amends Chapter 1, “Administrative and Regulatory Authority,” and Chapter 25, “Contested Case Proceedings,” Iowa Administrative Code.

The amendments are intended to implement 2008 Iowa Acts, Senate File 2338, section 46, that became effective on July 1, 2008, by updating Chapters 1 and 25. Item 1 defines an alternate board member. Item 2 defines the Board’s authority to appoint a pool of up to ten alternate board members to serve on a hearing panel when a sufficient number of board members is unavailable to hear a contested case. An alternate board member is deemed a member of the Board only for the hearing panel(s) for which the alternate member serves. Item 3 identifies how alternate board members are approved. Item 4 gives the executive director, or designee, the authority to request an alternate board member to serve on a hearing panel when a sufficient number of board members is unavailable to hear a contested case. Item 5 establishes that a decision of a hearing panel containing alternate members is considered a final decision of the Board, in accordance with Iowa Code Supplement section 148.2A as amended by 2008 Iowa Acts, Senate File 2338, section 46.

The Board approved these amendments to Chapters 1 and 25 during a telephone conference call on July 24, 2008.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on June 18, 2008, as **ARC 6858B**. No public comment was received. The proposed amendments are adopted as Noticed.

These amendments are intended to implement Iowa Code chapters 147, 148, and 272C.

These amendments shall become effective on September 17, 2008.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [1.1, 1.3(5), 1.3(7), 25.18(1), 25.24(1)] is being omitted. These amendments are identical to those published under Notice as **ARC 6858B**, IAB 6/18/08.

[Filed 7/24/08, effective 9/17/08]

[Published 8/13/08]

[For replacement pages for IAC, see IAC Supplement 8/13/08.]